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## THE ARIZONA CORPORATION C

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2014 APR 25 P 4: 02

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

APR 25 2014

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**ORIGINAL**

In the matter of:

CONCORDIA FINANCING COMPANY,  
LTD, a/k/a "CONCORDIA FINANCE,"ER FINANCIAL & ADVISORY SERVICES,  
L.L.C.,

LANCE MICHAEL BERSCH, and

DAVID JOHN WANZEK and LINDA  
WANZEK, husband and wife,

Respondents.

DOCKET NO. S-20906A-14-0063

**RESPONDENT CONCORDIA  
FINANCE'S JOINDER TO MOTION TO  
DISMISS OF RESPONDENTS ER  
FINANCIAL & ADVISORY SERVICES,  
LLC, LANCE MICHAEL BERSCH,  
DAVID JOHN WANZEK AND LINDA  
WANZEK**

Respondent Concordia Financing Company, Ltd., a/k/a Concordia Finance ("Concordia") hereby joins in Respondents ER Financial & Advisory Services, LLC, Lance Michael Bersch, David John Wanzek and Linda Wanzek's Motion to Dismiss. In doing so, Concordia acknowledges the existence of Trimble v. American Sav. Life Ins. Co., 152 Ariz. 548, 733 P.2d 1131 (App. 1986). That decision, however, is of limited application. Concordia's joinder in the Motion to Dismiss is not a waiver of the equitable and constitutional bars to prosecution of this case and/or the "Requested Relief,"<sup>1</sup> including those based on the long passage of time between the challenged sales and this case. Concordia preserves those defenses and bars, and will continually seek their application in this case, and at hearing.

<sup>1</sup> Concordia denies any wrongdoing, and thus only refers to "relief" only as the request.

1 RESPECTFULLY SUBMITTED this 25<sup>th</sup> day of April, 2014.

2 BASKIN RICHARDS PLC

3  
4 By David Wood

5 Alan S. Baskin

6 David E. Wood

7 80 East Rio Salado Parkway, Suite 511

8 Tempe, Arizona 85281

9 Attorneys for Respondent

10 Concordia Finance

11 ORIGINAL and thirteen copies of the foregoing  
12 filed this 25<sup>th</sup> day of April, 2014 with:

13 Docket Control

14 Arizona Corporation Commission

15 1200 West Washington Street

16 Phoenix, AZ 85007

17 COPY of the foregoing hand-delivered  
18 this 25<sup>th</sup> day of April, 2014 to:

19 Matthew J. Neubert

20 Director of Securities

21 Securities Division

22 Arizona Corporation Commission

23 1300 W. Washington Street, 3<sup>rd</sup> Floor

24 Phoenix, AZ 85007

25 COPY of the foregoing mailed  
26 this 25<sup>th</sup> day of April, 2014 to:

27 James Burgess

Securities Division

Arizona Corporation Commission

1300 W. Washington, 3<sup>rd</sup> Floor

Phoenix, AZ 85007

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Lance Bersch, David and Linda Wanzek

  
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